

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:)	CHAPTER 13
)	CASE NO: 20-50403
John Nisly, III)	
Nicole Louise Nisly)	ALAN M. KOSCHIK
)	BANKRUPTCY JUDGE
DEBTOR(S))	
)	TRUSTEE'S OBJECTION TO MOTION TO
)	PURCHASE
)	
)	TRUSTEE'S REQUEST FOR HEARING

Now comes Keith L. Rucinski, the Chapter 13 Trustee, and hereby objects to the

 X Debtor(s) Motion to Purchase an Automobile

 Debtor(s) Motion to Purchase Real Estate

The debtor(s) have not supplied sufficient information for the Trustee to evaluate whether the motion to purchase represents the debtor(s) best efforts pursuant to 11 USC Section 1325(b)(1)(B).

The Trustee requests that the debtor provide additional documents so the proposed modification may be evaluated. The additional documents requested are:

 Updated paystubs for the debtor(s)

 The most recent filed tax return for the debtor(s)

 Any other documentation related to the requested motion to purchase
i.e. 401k documentation, settlement statement on another lawsuit,
proof of contribution from a family member, etc.)

 X Amended Schedules I and J

 Affidavit of Family Member or Friend supplying funds to the debtor(s)

 X The purchase agreement with VanDevere states that there is a down payment of \$10,000 on the proposed purchase of the 2020 Kia. The Trustee would like to know where the down payment is coming from. This case was filed February 22, 2020, proposing a plan payment of \$1525 per month. The Trustee has not received a payment on this case. The first payment was due before March 22, 2020. A pay suspension was filed April 6, 2020, through June 6, 2020. Plan payments should have resumed in June, 2020. An amended schedule J will need to be filed showing the new auto payment of \$360 per

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month. The plan may also need to be amended once the 2011 Ford Edge listed in #3.1 is traded in on the new vehicle.

WHEREFORE, the Trustee hereby requests the Court sustain the Trustee's objection if these documents and other information are not provided to the Trustee's Office and further requests a hearing on this matter.

Respectfully submitted,

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee

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CERTIFICATE OF SERVICE

I hereby certify that on 08/10/2020, the following were served a copy of this pleading:

Via Regular Mail

John Nisly, III
541 Mineola Avenue
Akron, OH 44320

Nicole Louise Nisly
541 Mineola Avenue
Akron, OH 44320

Via ECF

MARK FRANKLIN GRAZIANI ESQ (mark_graziani@yahoo.com)
Office of the US Trustee (ustpregion09.cl.ecf@usdoj.gov)
Keith L. Rucinski. Chapter 13 Trustee (krucinski@ch13akron.com)

Date of Service: 08/10/2020

By: H. Byler
Office of the Chapter 13 Trustee

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